

Attorney Docket No. 50959

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Morrissey et al.

Serial No.: 10/003,151

Filed: November 2, 2002 : Group Art Unit: 1753

For: SEED LAYER REPAIR : Examiner: Edna Wong

Commissioner for Patents
P.O Box 1450
Alexandria, Virginia 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

I, Denis Morrissey declare and say that I am a resident of the United States. I am a co-inventor of claims 1-24 in the above-identified application (hereinafter "Application"). I personally conceived of, performed and/or assisted in research leading to the invention.

I have recently read the Application and the Office Action dated November 14, 2003 ("Office Action") issued in the Application. As I understand it, all of the claims of the application have been rejected by the Examiner as anticipated by U.S. Patent No. 6,660,153, assigned to Shipley Company, L.L.C., Marlborough, Massachusetts, USA (hereinafter "the '153 Patent"). The co-inventors of the '153 Patent are David Merricks, Denis Morrissey, Martin W. Bayes, Mark Lefebvre, James G. Shelnut and Donald E. Storjohann. Of the above-listed co-inventors of the '153 Patent, Denis Morrissey is named as co-inventor of the Application.

As I further understand it, in the noted rejection of the Application based on the '153 patent, the Examiner has relied on disclosure relating a mixture of acids, particularly at column 3, line 55 to column 4, line 32 of the '153 Patent. That mixture of acids disclosure in the '153 patent represents work that was conceived and/or reduced to practice solely by myself, Jeffrey

M. Calvert and Robert D. Mikkola. The contributions of the additional co-inventors, David Merricks, Martin W. Bayes, Mark Lefebvre, James G. Shelnut and Donald E. Storjohann to the '153 Patent were in areas other than the use of two or more acids in a copper plating bath for repairing seed layers, such as in the area of using a copper electroplating bath comprising copper ions in an amount of up to 10 g/L. I further declare that co-inventors David Merricks, Martin W. Bayes, Mark Lefebvre, James G. Shelnut and Donald E. Storjohann of the '153 Patent are not co-inventors of the Application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2/10/04
Date

